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Date: October 1, 2004

Pages (including cover): 04

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Examiner Julian Mercado  
U.S. Patent and Trademark Office

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## MESSAGE/INSTRUCTIONS

Re: U.S. Patent Application Serial No.: 10/028,310

## COMMENTS:

Further to our telephone conversation of today, as requested enclosed please the Terminal Disclaimer for the above referenced patent application.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARCHIONNI et al.

Art Unit : 1745

Serial No.: 10/028,310

Examiner: MERCADO, JULIAN A

Filed: December 28, 2001

Atty. Dkt. No.: 108910-00047

For: PERFLUOROPOLYETHER ADDITIVES FOR ELECTROCHEMICAL  
APPLICATIONS

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Petitioner, Solvay Solexis S.p.A. (formerly Ausimont S.p.A.), having its place of business at Via Turati, 12, Milan, ITALY, represents that it is the assignee and owner of all rights, title and interests in and to U.S. Patent Application Serial No. 10/028,310, filed December 28, 2001, for PERFLUOROPOLYETHER ADDITIVES FOR ELECTROCHEMICAL APPLICATIONS, the assignment for the application being recorded in the Patent and Trademark Office on December 28, 2001, at Reel 012412, Frames 0253-0254.

Petitioner is also the assignee of all rights, title and interests in and to U.S. Patent No. 6,403,539 B1, issued June 11,

2002, for PERFLUOROPOLYETHER LUBRICANTS CONTAINING SULPHONYL-FLUORIDE GROUPS.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on Application Serial No. 10/028,310 which would extend beyond the expiration date of United States Patent 6,403,539 B1, and hereby agrees that any patent so granted on Application Serial No. 10/028,310 shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to United States Patent No. 6,403,539 B1, this agreement to run with any patent granted on the Application Serial No. 10/028,310 and to be binding on its grantee, its successor or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 6,403,539 B1 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321 (a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

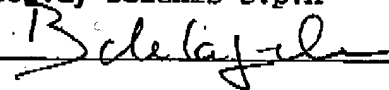
The undersigned on behalf of petitioner, Solvay Solexis S.p.A., hereby states and declares that I am empowered to act on behalf of the petitioner.

I hereby declare that all statements made on my own knowledge are true and that all statements made on information and belief

are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Solvay Solexis S.p.A

By



(Bernard de Laguiche)

Corporate Title: Managing Director

Signed this 29<sup>th</sup> day of June, 2004

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